

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

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FEB 20 2019 *AS*

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

UNITED STATES DISTRICT COURT

for the

Eastern District of NC

Civil Division

7:19cv253

Case No. 5:19-cv-45-BO

(to be filled in by the Clerk's Office)

Terry C. Bradley

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

The Commonwealth of Virginia, et al.
Virginia Tech. College
Virginia Police Department, et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Terry C. Bradley		
Address	3724 Sapphire Rd Unit 2.		
	Fayetteville	NC	28303
	City	State	Zip Code
County	Cumberland		
Telephone Number	910-922-2680		
E-Mail Address	tcbradley7@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	The Commonwealth of Virginia, et al		
Job or Title (if known)	Chief Commonwealth Attorney		
Address	55 East Main Street Suite 2B		
	Christianburg	V.A.	24073
	City	State	Zip Code
County	Montgomery		
Telephone Number	540-382-5705		
E-Mail Address (if known)	jensenpr@montgomerycountyva.gov		

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name	Virginia Tech. College/ Virginia Tech. Police Department		
Job or Title (if known)	Officer Snidow		
Address	unknown		
	Blacksburg	V.A.	24061
	City	State	Zip Code
County	Montgomery County		
Telephone Number	unknown		
E-Mail Address (if known)	unknown		

☐ Individual capacity ☒ Official capacity

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Defendant No. 3

Name Virginia Tech.College/Virginia Tech Police Department

Job or Title *(if known)* Officer Miano

Address unknown

Blacksburg

V.A.

24061

City

State

Zip Code

County

Telephone Number unknown

E-Mail Address *(if known)* unknown☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name Any and all unknown defendants

Job or Title *(if known)* unknown

Address unknown

Christianburg

V.A.

City

State

Zip Code

County

Montgomery County

Telephone Number unknown

E-Mail Address *(if known)* unknown☐ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?
false arrest, violation of due process, malious prosecution, illegal imprisonment

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

No

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Defendant(s) 1 and 2 conclusively state in official documentation the existence of a warrant for arrest of the plaintiff. Such was obtained and executed by defendant 2 stating the location of said arrest. Documentation used in this matter was an altered summons to appear. Not a judicial approved arrest warrant. (continued on additional pages)

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

1. False Arrest:

Defendant(s) 1 as stated, obtained an arrest for the plaintiff, as of 10/22/01. the alleged warrant was executed by Defendant 2 on 10/26/01, defendant alleges a bond hearing and release on bond.

2, Violation of Due Process: court record does not support an issuance of arraignment (continued)

- B. What date and approximate time did the events giving rise to your claim(s) occur?

please note attached additional sheets.

- C. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

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please note attached sheets.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

None

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

plaintiff request monetary damages in the amount 50 million dollars in damages; as well as 15 million dollars in punitive damages. The defendant's known and unknown acted in concert to maliciously impede the plaintiff's freedoms; fraudently acting within their official capacity, and under color of the law.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

Terry C Bradley

Signature of Plaintiff

Printed Name of Plaintiff Terry C. Bradley

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

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Address

3724 Sapphire Rd. Unit 1

Fayetteville

City

NC

State

28303

Zip Code

Telephone Number

910-922-2680

E-mail Address
